

DEQ Surface Water(s) Determination (SWD) Request Form

This form is for requesting a determination of the absence or presence of surface water(s) under Virginia jurisdiction on the subject property (§ 62.1-44.3 of the Code of Virginia and 9VAC25-210-10). Please supply the following information and supporting documents described below. Submitting this request authorizes DEQ to field inspect the property site, if necessary, to conduct a State Surface Water Determination. Please note that all property owners' signatures are required on the Virginia Water Protection Permit Program Property-Access Agreement located at the end of this document.

Property Location and Information:

Provide the physical street address, nearest street, or nearest route number; city or county; zip code; and if applicable, parcel number of the site or sites.

Property Owner Contact Information:

Property Owner Name:

Mailing Address:

City: State: Zip:

Telephone:

E-mail Address:

Date of Request:

If the person requesting the Jurisdictional Determination is **NOT** the Property Owner, please also supply the Requestor's contact information here:

Requestor Name:

Mailing Address:

City: State: Zip:

Daytime Telephone:

E-mail Address:

Date of Request:

Site Information: (Check all that are included)

☐ Property Location Map

☐ U.S. Geological Survey map(s)

- ☐ Delineation map including wetlands, open waters, and stream channels. The map must clearly show the subject property limits and identify the location of wetland data points and stream observation points. The table of state surface waters, including Cowardin classification, and quantification as recommended in the associated excel spreadsheet shall be depicted on the map sheets. (Unless specifically approved by DEQ, this information is required)
- ☐ Previous mapping and supporting information. If the U.S. Army Corps of Engineers has verified the map and report, provide a copy of the Corps verification letter.
- ☐ Wetland Determination Data Sheets and supporting photographs
- ☐ Stream assessment forms and supporting photographs (ex.: NC Stream Assessment Method, Fairfax stream assessment methodology, VA Ephemeral Stream Indicator Form)
- ☐ USGS 8 and 12 digit HUC maps
- ☐ USGS National Hydrography Dataset
- ☐ Natural Resources Conservation Service Soil Survey Information
- ☐ National Wetlands Inventory mapping
- ☐ FEMA/FIRM maps
- ☐ Aerial Photographs
- ☐ Other Photographs
- ☐ Other Information: *(Ex: Copy of the property plat, Google Earth .kmz file with subject property limits, ArcGIS Shape files if available.)*
- ☐ Information related to potential exclusions from permitting as necessary

Agent Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I hereby certify that this SWD Request identifies all wetlands, open waters, stream channels, or other surface waters on the subject property:

Authorized Signature: _____

Print Name: _____

VA PWD#: _____

Phone: _____

Date: _____

Email: _____

Property Access Agreement

[PROPERTY OWNER NAME] ("Owner") who owns the property located at [ADDRESS and/or DEED BOOK INFORMATION and/or TAX PARCEL #] ("Property") hereby authorizes the Department of Environmental Quality, its employees, agents, and contractors ("Authorized Parties") the right and privilege to enter on the Property for the purpose of performing a surface waters determination from [DATE TO DATE].

Access to the Property will be conducted in the following manner:

1. The Authorized Parties will notify the Owner in writing at least 48 hours before entering the Property, except during an emergency. Access is limited to regular business hours (Monday through Friday from 8:00 a.m. to 5:00 p.m.) unless an emergency requires an immediate response.
2. In exercising its access privileges, the Authorized Parties will take reasonable steps not to interfere with the Owner's use of the Property.
3. Owner ensures that the Authorized Parties will be granted access to the Property for the purposes set forth in this Agreement and will not interfere with the installation, maintenance, operation, or removal of equipment.
4. Upon termination of this property access agreement, all materials and equipment owned by the Authorized Parties shall be removed from the Property and the Property will be restored as reasonably as possible, to the condition it was in at the time this agreement was executed.
5. The Authorized Parties hereby indemnify and hold Owner harmless from any and all claims or causes of action arising out of or related to the acts or omissions of the Authorized Parties in connection with the performance of activities under this Agreement, except to the extent that any injury is caused due to the acts or omissions of Owner, any lessee of the Property, or any employee or agent of Owner.
6. The availability of any potential recovery against the Authorized Parties for claims asserting personal injuries or property damage arising out of this Agreement shall be determined in accordance with law. Nothing in this Agreement shall constitute a waiver of the sovereign immunity of the Commonwealth of Virginia.

The Owner understands that this is a voluntary agreement and the Authorized Parties acknowledge that this property access agreement does not constitute a grant of any permanent easement. The Owner reserves the right to revoke this agreement by sending written notice to DEQ at least 30 days in advance of the termination.

<u>Property Owner</u>
Print Name:
Sign Name:
Date:

Submit the completed form and supporting documents via email to the appropriate DEQ Regional Office listed below. A DEQ Project Manager will contact the Requestor to coordinate a State Surface Water Determination for the project area.

Northern Regional Office (703) 583-3800 13901 Crown Court Woodbridge, VA 22193

Counties: Arlington, Caroline, Culpeper, Fairfax, Fauquier, King George, Loudoun, Madison, Orange, Prince William, Rappahannock, Spotsylvania, Stafford, Louisa

Cities: Alexandria, Falls Church, Fairfax, Fredericksburg, Manassas, Manassas Park

vwp.nro@deq.virginia.gov

Piedmont Regional Office (804) 527-5020 4949-A Cox Road Glen Allen, VA 23060

Counties: Amelia, Brunswick, Charles City, Chesterfield, Dinwiddie, Essex, Gloucester, Goochland, Greensville, Hanover, Henrico, King and Queen, King William, Lancaster, Mathews, Mecklenburg, Middlesex, New Kent, Northumberland, Nottoway, Powhatan, Prince Edward, Prince George, Richmond, Surry, Sussex, Westmoreland

Cities: Colonial Heights, Emporia, Hopewell, Petersburg, Richmond

pro.vwpcpliance@deq.virginia.gov

Blue Ridge Regional Office - Roanoke (540) 562-6700 3019 Peters Creek Parkway Roanoke, VA 24019

Counties: Alleghany, Amherst, Appomattox, Bedford, Botetourt, Buckingham, Campbell, Charlotte, Craig, Cumberland, Floyd, Franklin, Giles, Halifax, Henry, Montgomery, Patrick, Pittsylvania, Pulaski, Roanoke

Cities: Bedford, Clifton Forge, Covington, Danville, Lynchburg, Martinsville, Radford, Roanoke, Salem

jesse.roberts@deq.virginia.gov

Southwest Regional Office (276) 676-4800, 355 Deadmore Street, Abingdon, VA 24210

Mailing address: P.O. Box 1688, Abingdon, VA 24212

Counties: Bland, Buchanan, Carroll, Dickenson, Grayson, Lee, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe

Cities: Bristol, Galax, Norton

david.nisheda@deq.virginia.gov

Tidewater Regional Office (757) 518-2000, 5636 Southern Blvd, Virginia Beach, VA 23462

Counties: Accomack, Isle of Wight, James City, Northampton, Southampton, York

Cities: Chesapeake, Franklin, Hampton, Newport News, Norfolk, Portsmouth, Poquoson, Suffolk, Virginia Beach, Williamsburg

vwp.tro@deq.virginia.gov

Valley Regional Office (540) 574-7800, 4411 Early Road, Harrisonburg, VA 22801

Counties: Albemarle, Augusta, Bath, Clarke, Fluvanna, Frederick, Greene, Highland, Nelson, Page, Rockbridge, Rockingham, Shenandoah, Warren

Cities: Buena Vista, Charlottesville, Harrisonburg, Lexington, Staunton, Waynesboro, Winchester

vro.vwp@deq.virginia.gov